

The Michigan Department of Civil Rights (MDCR) investigates complaints of discrimination in employment, education, housing, public accommodation, law enforcement and public service based on religion, race, color, national origin, age, sex, marital status, height, weight, arrest record, disability or familial status. A complaint may be filed, if the alleged act of discrimination has occurred within the past **180** days.

This information has been prepared to inform you of your rights and responsibilities. You should fully read this document prior to proceeding further.

### ***Notice Regarding Impartial Investigation***

The MDCR is a neutral administrative investigative agency. We do not act as an advocate or representative. MDCR will effectively pursue or investigate the allegations of discrimination.

## **For Individuals Filing a Complaint of Discrimination**

### ***Your Rights:***

- You have the right to be treated with respect and dignity.
- You have the right to file a complaint of discrimination within our jurisdiction.
- You have the right to a full analysis of your allegations.
- You have the right to propose a settlement or resolution to the matter.

- You have the right to receive a final disposition of your complaint.
- You have the right to request a reconsideration of the department's decision.
- You have the right to pursue this matter in court.
- You have the right to appeal a final order to circuit court.
- You may be given the opportunity to request mediation.

### ***Your Responsibilities:***

- You must provide, within 2 business days of stating a concern, information to establish a case within the jurisdiction of the department.
- You must provide the department with all known relevant evidence at the time of filing a complaint.
- You must identify names of witnesses who have personal knowledge of the alleged discrimination and provide their address, telephone number and expected testimony at the time of filing.
- You must provide names of comparatives when applicable. (Those in a similar situation but treated differently.)
- You must keep the department informed of changes in address and telephone number.
- You must keep the department informed of all circumstances affecting your complaint.

Be aware, however, that despite the strength of your belief that you were

wronged, there is no guarantee that this agency will find a violation of the statutes which we enforce.

## **For Respondents**

A concern/complaint has been presented to the Department of Civil Rights. This information has been prepared to inform you about the Michigan Department of Civil Rights' jurisdiction as well as your rights and responsibilities.

### ***Your Rights:***

- You have the right to be treated with respect and dignity.
- You have the right to receive a copy of the concern/complaint filed against you.
- You have the right to present proposals of resolution.
- You have the right to a full analysis of the allegations made against you.
- You have the right to receive a final disposition of the complaint.
- You have the right to a public hearing.
- You have the right to appeal a final order to the circuit court.
- You may be given the opportunity to request mediation.

### ***Your Responsibilities:***

- You must respond to a formal complaint within **28 days**.
- You must articulate a non-discriminatory reason for the actions if the complaint is not resolved.

- You must provide the necessary documentation to support your position.
- You must provide the department with all additional information regarding the claimant's allegations as it becomes known.
- You must not retaliate against a person who has opposed a civil rights violation.

*You may be given the opportunity to file a concise response within **10 days** to the claimant's concern before a formal complaint is completed.*

## Department of Civil Rights *Responsibilities*

- Thoroughly evaluate the claimant's concern and make appropriate referrals.
- Discuss with the claimant a realistic expectation as to what the department can do about his/her situation.
- Encourage the parties to resolve a concern before a formal complaint is filed.
- Allow the respondent 10 days to file a concise statement of position before a formal complaint is filed when early resolution is attempted.
- Notify both the claimant and the respondent of the department's contact person.
- Keep both claimant and respondent informed as to the status of the investigation.
- Investigate all complaints in a timely manner.

- Use the preponderance of evidence standard when determining whether an unlawful act of discrimination occurred.
- Investigate objectively and not take sides with either party until the department makes a determination about which side prevails. The department will support the prevailing side.
- Hold an exit interview with the claimant and explain why the complaint is being dismissed.
- Inform the claimant of his/her right to appeal the dismissal.
- Review the claimant's appeal and/or request for reconsideration by a committee consisting of individuals not involved in the dismissal.
- Inform all claimants of their rights to file in the various courts and the requirements for doing so.
- Process jointly filed and/or deferred complaints from federal agencies when the situation presents itself.

Please call 1-800-482-3604 with any questions. TTY users call 1-877-878-8464.

Internet address: [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr)

**\*\*** If you need an accommodation for a physical need, please notify our staff.

**\*\*\*** This pamphlet is available in accessible formats.

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